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SYLLABUS

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PROBLEMS OF  
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# PROBLEMS OF CRIME

## I. Scope of the Subject.

- (1) Definitions.
  - Crime. Criminal. Vice. Sin. Criminal law. Civil law.
  - Criminal sociology. Criminal psychology. Criminal physi-
  - ology. Criminal anthropology. Criminology. Penology.

### References.

Drahms, *The Criminal*, ch. 1.  
 Wines, *Punishment and Reformation*, ch. 2.  
 Ferri, *Criminal Sociology*, ch. 1.

## II. Schools of Criminology.

- (1) The Classical or Legal School. Beccaria, 1774. Torture opposed. Prominence of the idea of Free Will. Studied crime rather than the criminal.
- (2) The Positive School of Criminology. Broca, 1859. Lombroso, 1876. Ferri, Garofalo, and others. Studies the criminal rather than crime. Opposes the idea of Free Will. Crime caused by anthropological characteristics, telluric environment and social environment. Criminal should be treated as an individual and not as a member of a group.

### References.

Ellis, *The Criminal*, ch. 2.  
 Drahms, *The Criminal*, ch. 2.  
 Wines, *Punishment and Reformation*, ch. 11.  
 Ferri, *Criminal Sociology*, Introduction.  
 Ferri, *Positive School of Criminology*.  
 De Quiros, *Modern Theories of Criminality*.  
 Tarde, *Penal Philosophy*, ch. 2.  
 Saleilles, *Individualization of Punishment*, ch. 3-5.

## III. The Nature of the Criminal.

- (1) Classification of criminals.
  - The classification followed by Ellis:
    - (a) Political Criminal.
    - (b) Criminal by Passion.
    - (c) Insane Criminal.
    - (d) Occasional Criminal.
    - (e) Habitual Criminal.
    - (f) Instinctive Criminal.
  - The classification followed by Drahms:
    - (a) Instinctive Criminal.
    - (b) Habitual Criminal.
    - (c) Single Offender.
  - Characteristics of each group.
- (2) Characteristics of the Criminal Type of the Positive School.
  - (a) Physiological characteristics:—Variations in characteristics of head, face, eyes, nose, ears, chin, mouth, teeth, hair, length of arms, feet, brain, etc.

### References.

- Ellis, *The Criminal*, ch. 3.  
Drahms, *The Criminal*, ch. 5.  
Morrison, *Crime and its Causes*, ch. 7.  
Macdonald, *Criminology*, Part I, ch. 2.  
Tarde, *Penal Philosophy*, ch. 6.  
Aschaffenburg, *Crime and Its Repression*, ch. 17.  
Ferrero, *Lombroso's Criminal Man*, Part I, ch. 1.

- (b) Sensory and functional characteristics:—general sensibility to touch; sensibility to pain; tactile sensibility; sensibility to magnet; meteoric sensibility; sight; hearing; smelling, taste; agility; strength; etc.

### References.

- Ellis, *The Criminal*, last section of ch. 4.  
Morrison, *Crime and Its Causes*, ch. 7.  
Tarde, *Penal Philosophy*.  
Ferrero, *Lombroso's Criminal Man*, Part I, ch. 1.

- (c) Psychological characteristics:—natural affections; vanity; impulsiveness; moral insensibility; repentance and remorse; treachery; stupidity and cunning; vindictiveness; idleness; gambling; intelligence; prudence; want of foresight; etc.

### References.

- Ellis, *The Criminal*, ch. 4.  
Drahms, *The Criminal*, ch. 4.  
Morrison, *Crime and Its Causes*, ch. 7.  
Macdonald, *Criminology*, Part I, ch. 3.  
Gross, *Criminal Psychology*.  
Aschaffenburg, *Crime and Its Repression*, ch. 18.

- (d) The born criminal and his relation to insanity and epilepsy.  
(e) Characteristics of insane criminals, habitual criminals, criminals by passion and occasional criminals compared with those of the Criminal Type.

### References.

- Drahms, *The Criminal*, ch. 4-10.  
Ferrero, *Lombroso's Criminal Man*, Part I, ch. 2-5.

- (3) Biological Problems in Connection with Crime. Whether or not crime is to be found in the animal and plant world, and among barbaric peoples. The beginnings of crime. Does the born criminal represent atavism or degeneracy? Degenerate classes of effeminate, infantile and senile. Relation between degeneracy, deficiency and delinquency.  
(4) Conclusions and Summary of Data bearing upon Criminal Anthropology and the Positive School.

### References.

- Ellis, *The Criminal*, ch. 5.  
Wines, *Punishment and Reformation*, ch. 11.  
Morrison, *Crime and Its Causes*, pp. 198-200.

- (5) The Female Offender.  
The physiological and psychological characteristics of the female offender. Prostitution considered the feminine equivalent of criminality. Woman less criminal than man. More criminal in northern than in southern European countries. Women show greater tendency towards recidivism.

## References.

- Lombroso, *The Female Offender*.  
Morrison, *Crime and Its Causes*, ch. 6.  
Drahms, *The Criminal*, pp. 217-219.  
Kellor, *Experimental Sociology*, ch. 8.

### (6) The Juvenile Offender.

Juvenile crime on the increase. In the United States, between 1890 and 1904, an absolute increase of 55.2%: in comparison with population, an increase of 4.6%. In 1904, 86.3% of the total number of juvenile offenders were whites; 13% were negroes; 78.1% of the total number were native born; 8.1% were foreign born. Russians and Italians form greater proportion of foreign born juvenile offenders. Age of juvenile offenders. Relations between puberty and delinquency. Offenses against property are greatest in number. The born juvenile offender. Importance of home influence, illegitimacy, poverty, vagrancy, use of alcoholic drinks by parents, lack of industrial training, illiteracy, other degrading influences. Necessity of medical examination for school children.

## References.

- Drahms, *The Criminal*, ch. 11.  
Morrison, *Crime and Its Causes*, pp. 149-159.  
Jane Addams, *The Spirit of Youth and the City Streets*.  
Morrison, *Juvenile Offenders*, Part I.  
Travis, *The Young Malefactor*.

## IV. The Statistics of Crime.

- (1) Kinds of Criminal Statistics:—Judicial; prison, criminal. Sources of each.
- (2) The use and abuse of statistical data. How to measure the relative and absolute increase or decrease of crime.
- (3) The relation between crime and age, sex, color, race, nativity, marital condition, literacy and occupation, with special reference to the 1904 and 1910 censuses of the United States.

## References.

- Ferri, *Criminal Sociology*, ch. 2.  
Robinson, *Criminal Statistics in the United States*.  
Morrison, *Crime and Its Causes*, ch. 12.  
Mayo-Smith, *Statistics and Sociology*, ch. 12.  
Drahms, *The Criminal*, pp. 238-269.  
Special Report of the U. S. Census Bureau on "Prisoners and Juvenile Delinquents in Institutions, 1904."  
U. S. Census Bureau, Bulletin 121, "Prisoners and Juvenile Delinquents, 1910."

## V. The Causes of Crime.

A discussion of the following causes of crime: Meteorological and climatic influences, mountains and geological structure, race, civilization, density of population, immigration, emigration, subsistence (famines, etc.), alcoholism, the use of drugs, education, economic conditions, religion, illegitimacy, orphany, heredity, age, sex, prostitution, profession, unemployment, leaders of crime, the press, prison association, etc.

## References.

- Morrison, Crime and Its Causes.  
Drahms, The Criminal, ch. 6-9.  
Wines, Punishment and Reformation, ch. 12.  
Ferrero, Lombroso's Criminal Man, Part II, ch. 1.  
Henderson, Dependents, Defectives and Delinquents, Part IV, ch. 2.  
Ferri, Criminal Sociology, ch. 2.  
Ellis, The Criminal, ch. 3, sec. 6.  
Dugdale, The Jukes.  
McCulloch, The Tribe of Ishmael.  
Goddard, The Kallikak Family.  
Danielson and Davenport, The Hill Folk.  
Eastabrook and Davenport, The Nam Family.  
Barr, Mental Defectives.  
Lydston, Diseases of Society.  
McKim, Humanity and Social Progress.  
Commons, Races and Immigrants in America, ch. 7.  
Hall, Immigration, ch. 8.  
Aschaffenburg, Crime and Its Repression, Parts I-II.

## VI. The Prevention of Crime.

- (1) Treatment of the criminal for the purpose of preventing further crime.
  - (a) What is punishment? Different agencies for the infliction of punishment. Evolution in the character of punishments inflicted for various offences.
  - (b) Theories for the justification of punishment:—expiation; retribution; deterrence; social utility; reformation.
  - (c) Earlier methods of fixing penalty. Ideas of Classical School. Ideas of Positive School. Individualization of punishment. Definite sentence vs. indeterminate sentence. Probation system for adult offenders. Parole systems.
  - (d) Methods of inflicting punishment:—extermination or capital punishment; incarceration, solitary, silent, etc.; isolation.
  - (e) Prison Labor:—Lease system, contract system; piece system; state or public account system; state use system.
  - (f) Reformatories and penal colonies.
  - (g) Problem of the discharged prisoner.
- (2) Methods by means of which many of the underlying causes of crime may be removed, thus rendering less likely the commission of criminal acts.
  - (a) Crime cannot be prevented solely by punishment; the causes of crime must be sought out and abolished so far as is possible.
  - (b) Society cannot change the influence of climate, physiographic features and racial characteristics.
  - (c) Need of better immigration laws and need of better enforcement of such laws.
  - (d) Evils of density of population can be eliminated to a great extent by housing reform and the growth of suburban communities coupled with the development of rapid and efficient transportation facilities.
  - (e) Suggested remedies for hereditary criminality:—Isolation; stricter marriage laws; sterilization; death.



- (f) Discussion of the regulation and the abolition of the liquor traffic.
- (g) The crusade against the use of drugs.
- (h) The need of free and many sided education. Moral education, sex hygiene, manual training, etc.
- (i) Suggested changes in the methods for the caring of orphans. Cottage plan vs. the institutional plan. Widows' pensions. Home finding societies.
- (j) Necessity for better methods in handling the problem of illegitimacy.
- (k) Unemployment, a question of growing importance. Suggested remedies.
- (l) Regulation of the press.
- (m) Prompt and effective apprehension of the criminal. Well organized and efficient police systems. Police corruption. Superiority of the English police. Methods of identification. The Bertillon System. Need of a national identification bureau.
- (n) Reform of criminal procedure. Speedy justice. Fair trial.
- (o) Prevention of crime by social action. Housing reform, playgrounds, social centers, wider use of the school plant, censorship of moving pictures, etc.
- (p) Prevention and the child. Most promising field of endeavor. Juvenile courts.

#### References.

- Devine, *The Spirit of Social Work*, pp. 106-150.  
 Lombroso, *Crime, Its Causes and Remedies*, Part II.  
 Kellor, *Experimental Sociology*, ch. 13.  
 Ferrero, *Lombroso's Criminal Man*, Part II, ch. 2.  
 Ferri, *Criminal Sociology*, ch. 3.  
 Wines, *Punishment and Reformation*, ch. 14.  
 Henderson, *Defectives, Dependents and Delinquents*, Part II, ch. 7.  
 Henderson, *Preventive Methods and Agencies*.  
 Folks, *The Care of Destitute, Neglected and Delinquent Children*.  
 Aschaffenburg, *Crime and Its Repression*, Part III.  
 Saleilles, *The Individualization of Punishment*.  
 McConnell, *Criminal Responsibility and Social Restraint*, Part I.

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